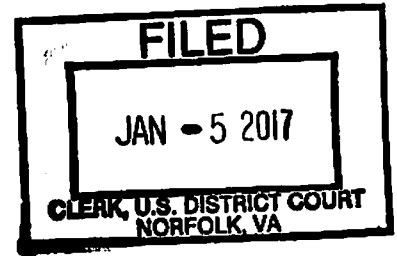


**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Newport News Division**



CHESAPEAKE BANK,

Plaintiff,

v.

Civil Action No. 4:14-cv-66

STUART D. BERGER, et al.,

Defendants.

**ORDER ON MOTION TO DISBURSE PROFESSIONAL FEES AND WIND UP
RECEIVERSHIP**

Substitute Receiver Robert B. Smith of Protiviti Inc. ("Substitute Receiver") has filed a Motion to Disburse Professional Fees and Wind Up Receivership (the "Final Receivership Motion"). The Court has reviewed the Final Receivership Motion, the briefs of the parties, and held a conference call with counsel. For the reasons stated on the record and having considered all relevant issues regarding the payment of professional fees and winding up the receivership ("Receivership"), the Court hereby **FINDS** that:

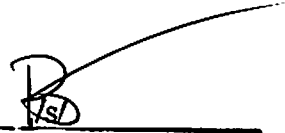
1. The Substitute Receiver acted reasonably and appropriately in his service to this Receivership;
2. Having previously made a finding as to the reasonableness of the professionals' fees and costs, it is now appropriate to disburse the remaining Receivership funds to pay the reasonable fees and costs of the Receivership professionals;
3. Upon disbursement of the remaining Receivership Funds, there exists no reason to continue the receivership. Accordingly, it is appropriate to wind up the affairs of the Receivership;

Accordingly, it is hereby **ORDERED** that

1. Substitute Receiver is to disburse the remaining Receivership funds in accordance with the agreement between the professionals as follows:
 - a. having previously found that Substitute Receiver incurred \$183,173.91 in reasonable fees and costs, Substitute Receiver shall receive \$183,173.91 of the remaining Receivership funds;
 - b. having previously found that Troutman Sanders, LLP incurred \$229,528.83 in reasonable fees and costs, Troutman Sanders, LLP shall receive \$229,528.83 of the remaining Receivership funds; and
 - c. having previously found that Thompson Hine, LLP, Lathrop & Gage LLP and Akerman LLP, collectively, incurred \$162,702.74 in reasonable fees and costs, they shall collectively receive \$162,702.74 of the remaining Receivership funds;
2. Upon disbursement of the remaining Receivership funds in accordance with this Order,
 - a. Substitute Receiver is hereby relieved from any further responsibility, liability and/or obligation with respect to the Receivership;
 - b. the bond Substitute Receiver posted in connection with the Receivership shall be released; and
 - c. the Receivership is terminated and of no further effect; and
3. Any interest accrued since the filing of the Secured Creditor Disbursement Motion, and any overage paid to a secured creditor, shall be awarded to Troutman Sanders.

IT IS SO ORDERED.

Norfolk, Virginia
January 5, 2017



Raymond A. Jackson
United States District Judge